

1 Hannah L. Cannom (SBN 245635)
2 hcannom@wscylaw.com
3 Bethany M. Stevens (SBN 245672)
4 bstevens@wscylaw.com
5 WALKER STEVENS CANNOM YANG LLP
6 500 Molino Street #118
7 Los Angeles, CA 90013
8 Telephone: (213) 337-4551
9 Facsimile: (213) 403-4906
10 *Counsel for Plaintiff Blackbird Tech LLC*
11

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

12 BLACKBIRD TECH LLC d/b/a
13 BLACKBIRD TECHNOLOGIES,
14
15 Plaintiff,
16
17 vs.
18 CLOUDFLARE, INC.
19
20 Defendant.

CASE NO. 17-CV-06112-VC

**DECLARATION OF DAVID
GERASIMOW IN SUPPORT OF
BLACKBIRD TECHNOLOGIES'
OPPOSITION TO CLOUDFLARE'S
MOTION FOR JUDGMENT ON THE
PLEADINGS (ECF NO. 37)**

Hearing Date: 10:00am, January 11, 2018

1 I, David Gerasimow, declare as follows:


2 1. I am Senior Litigation Counsel for Blackbird Technologies, and am counsel of
3 record in the above-captioned action.

4 2. Attached as **Exhibit A** is a true and correct copy of a December 15, 2017, email
5 exchange between myself and Anthony Garza, counsel for Defendant Cloudflare, Inc.

6 3. Attached as **Exhibit B** a side-by-side comparison of Claim 1 in Cloudflare's U.S.
7 Patent App. No. 12/939,926 (now U.S. Patent No. 9,634,993) to Claim 1 in Blackbird Technologies'
8 U.S. Patent No. 6,453,335, prepared by counsel for Plaintiff Blackbird Technologies.

9 4. Attached as **Exhibit C** is a true and correct copy of an amendment dated June 15,
10 2015, submitted by Defendant Cloudflare, Inc. in connection with its prosecution of U.S. Patent
11 App. No. 12/939,926 before the U.S. Patent & Trademark Office, retrieved from Public PAIR,
12 the USPTO's public records system.

13 I declare under penalty of perjury under the laws of the United States of America that the
14 foregoing is true and correct. Executed on December 22, 2017.

15
16
17 

18 David A. Gerasimow
19
20
21
22
23
24
25
26
27
28